IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Scott C. Harris	Group Art Unit 3624
Appl. No.	:	10/065,327	
Filed	:	October 3, 2002	
For	:	WEB BASED COMMUNICATION OF INFORMATION WITH RECONFIGURABLE FORMAT	
Examiner	:	T. T. Havan	

Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants Brief On Appeal

Sir:

Applicant files this Appeal Brief under Rule 41.37. The sections required by Rule 41.37 follow.

The present application qualifies for small entity status under 37 C.F.R. § 1.27.

Please charge the $310 fee for the Appeal Brief and one month extension (small entity) to deposit account 50-1387.

Real Party in Interest

The inventor, Scott C. Harris, is the real party in interest.

Related Appeals and Interferences

There are no known related appeals or interferences.

Status of Claims

Claims 1-18 and 41-52 are pending. Claims 19-40 are withdrawn from consideration. Each of Claims 1-18 and 41-52 are rejected.

Status of Amendments

No amendment was filed subsequent to the close of prosecution.

Summary of Claimed Subject Matter

Claim 1 defines a handheld housing with processor and display, described in paragraph 62, page 13, first four paragraphs. The processor is described in paragraph 63. Claim 1 defines how the display displays a plurality of different indicators and that the indicators are selected with a single actuation. Paragraph 68, page 14, explains that each script may have an icon, and paragraph 71 defines how the single actuation is executed based on the icons.

Claim 1 further defines that the actuation executes a restored sequence of actions that interface with a remote Internet site, take some action and returns information from the Internet site based on the single actuation. Paragraph 71

describes how selecting an icon allows a number of different actions to be carried out in this way.

Claim 41 defines a computer with a network connection, see for example the end of paragraph 64 and paragraph 65 on page 14. A user interface display has at least one indication and a single actuation causes a prestored sequence of actions to be carried out over the network connection, see paragraph 68 which explains how the actuation is carried out.

Grounds of Rejection to be Reviewed on Appeal

Are the claims unpatentable under 35 U.S.C. 102(e) based on Vlaphoplus?

Arguments

The claims are rejected under 35 U.S.C. 102(e) as allegedly being unpatentable over Vlaphoplus. With all due respect, however, Vlaphoplus does not disclose that the single actuation causes execution of a prestored sequence of actions that interface with a remote web site, takes some action on the remote web site and returns information from the Internet site; all based on the single actuation. Rather, Vlaphoplus discloses a system in which further information needs to be entered by the user, in order to carry out the interaction with the remote site.

Vlaphoplus' paragraphs 195 - 208 describe that different kinds of information can be accessed by selecting a category, and then, for example, filling in forms. For example, the rejection refers to Figure 16A and paragraph 195. Assume one selects one of the links on Figure 16A --for example, assume one selects the link 88. This is a purchase link, and brings up a form that allows you to purchase. The user needs to fill

in that form, however, and then click again, in order to carry out the purchase. That is, the purchase icon 88 does not, by itself, carry out execution of a prestored series of actions on the remote Internet site, as required by claim 1. For each of the links, the user can add and edit information, and eventually carry something out. However, simply clicking one of those links will not do all of:

- interface with a remote website,

-execute a prestored sequence of actions on the remote website, and

-return information from the remote website,

as required by claim 1.

Rather, the link requires more information. It does not carry out a prestored sequence of actions on the remote website. Vlaphoplus simply shows using a single link to obtain a single item of information from a single website. Vlaphoplus does not initiate a prestored sequence of actions responsive to a single actuation, and certainly does not initiate a prestored sequence of actions, where one of those actions is "interface with a remote website" as claimed.

Analogously, the remainder of Vlaphoplus' teaching is consistent. Paragraph 196 of Vlaphoplus allows the user to edit their information. However, the single link does not take an action on a remote website as claimed. All of the different actions described in paragraphs 196, 197, 198, 200, 201,202 and 205 simply allows selection of the link, and allow the user to edit the information associated with that link. This is multiple separate actuations. This is not selecting "with a single actuation" as required by the claims.

Moreover, Vlaphoplus has no disclosure that any single actuation selects "execution of a prestored sequence of actions based on said single actuation that

interface with a remote website, take some action on the remote website, and returns information from the Internet website" as claimed. This is quite simply not shown by Vlaphoplus. The contention to the contrary is wholly based on hindsight.

The dependent claims even further emphasize the distinctions over the prior art.

Claim 3 defines that the sequence from the single actuation accesses a plurality of different Internet sites. The information that is returned according to claim 3 is based on a plurality of different Internet sites. Nowhere is there any disclosure of this in Vlaphoplus. Vlaphoplus discloses nothing about accessing multiple different Internet sites "based on said single actuation" as claimed.

Claim 5 defines that the information is a bank balance which is obtained with a single actuation. Figure 16B shows a checking account number can be added, as can be attorneys and other information. However, there is no disclosure of automatically obtaining a bank balance "from said bank" based on a single actuation, as claimed.

Claim 9 defines that the sequence of actions is used to place a bid upon an item. While Vlaphoplus does use the word "bid", it does so in the sense of commodities, and there is no disclosure of placing a bid using a single actuation to create a sequence of actuations on a remote site.

Claim 10 defines a sequence of actions which accesses a first web site and then carries out a second action on a second website using the first value to access the second website. As previously described, nothing in Vlaphoplus teaches anything about accessing two different web sites using the single actuation, as claimed. Therefore, claim 10 is even more clearly patentable under 35 USC 102.

Claim 11 defines details about those actuations, where the actuation of claim 11 obtains a bill amount from a first website, and then pays that bill using a second website

which is the bank's website. All of this, done with a single actuation. This is not disclosed by Vlaphoplus, and thus even more clearly patentable under 35 USC 102.

Claim 14 defines a biometric reader. There is no disclosure of such a reader in Vlaphoplus. The rejection based on Section 102 is hence entirely improper, since nowhere does Vlaphoplus disclose a biometric reader. With all due respect, the Patent Office clearly has not met their burden of providing a prima facie showing of unpatentability of claim 14.

Claims 15 and 16 define encryption. The lengthy specification of Vlaphoplus teaches many different things, but neither the word "encrypt" nor the word "encryption" is found anywhere in Vlaphoplus (based on a complete reading, and a full text search). The rejection as it stands is based on Section 102, and therefore would a proper rejection would require that Vlaphoplus identically disclose the subject matter of claims 15 and 16. With all due respect nothing in Vlaphoplus discloses encryption. Claims 15 and 16 hence are not properly rejected by the Patent Office, and should be allowable for these reasons.

Claim 41 requires that a single actuation causes a prestored sequence of actions to be carried out over the network connection. The processor executes the prestored sequence of actions over the network connection based on the single actuation and no other actuations. Vlaphoplus does not disclose this, and hence Claim 41 should be allowable for similar reasons to those discussed above.

Claim 42 defines executing the sequence of actions at a later time if the network is not available. The rejection attempts to read the sequence of actions on what happens when an item is clicked in Figures 16A-16B of Vlaphoplus. Nothing in Vlaphoplus discloses detecting if the network connection is available and executing the

sequence later if it is not available. Therefore, claim 42 is not properly rejected under Section 102.

Claim 45 defines that a single prestored sequence of actions accesses a plurality of different Internet sites. Nowhere does Vlaphoplus disclose this, and hence claim 45 is even more clearly patentable.

Claim 46 defines that the sequence of actions accesses a first Internet site to get first information and a second Internet site uses the first information to access the second Internet site. Again, Vlaphoplus discloses nothing about this, and hence claim 46 is even more clearly patentable.

Claim 48 defines an encryption key, and as described above, Vlaphoplus does not use the word "encrypt" or "encryption" anywhere throughout their lengthy specification. The rejection under Section 102, therefore, is quite simply incorrect.

Claim 49 defines a biometric reader which again is not disclosed by Vlaphoplus.

Based on the above, it can be seen that the rejection does not meet the Patent Office's burden of providing a prima facie showing of unpatentability. Reversal of the rejection is therefore respectfully requested.

For all of the reasons given above, applicants respectfully suggest that all of the claims should be in condition for allowance. Reversal of the examiner's legally incorrect position is respectfully requested.

Please charge any fees due in connection with this response to Deposit Account

No. 50-1387.

Respectfully submitted,

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CLAIMS APPENDIX

1. A computing device, comprising:

a handheld housing and processor and display, said display displaying a plurality of different indicators, and wherein at least one of said indicators, when selected with a single actuation, selecting execution of a prestored sequence of actions based on said single actuation that interface with a remote internet site, takes some action on the remote internet site, and returns information from the internet site, all based on said single actuation.

2. A device as in claim 1, wherein said processor displays said information on said display.

3. A device as in claim 1, wherein said sequence accesses a plurality of different Internet sites, and said information is based on said plurality of Internet sites.

4. A device as in claim 1, wherein at least one of said indicators includes an area for entry of variable information, and wherein said variable information is sent to said Internet site.

5. A device as in claim 1, wherein said remote Internet site includes a bank, and said information includes a balance from said bank.

6.   A device as in claim 1, wherein said information includes a plurality of different actions on said web site that can be carried out.

7.   A device as in claim 1, wherein said a sequence of actions that are carried out to navigate through a sequence of actions on said web site and return a specified value.

8.   A device as in claim 6, wherein said plurality of different actions include at least one action that can be selected to carry out said sequence of actions on said web site.

9.   A device as in claim 4, wherein said web site is a web site that enables bids to be placed on items, and said entry of variable information is an area where a bid amount can be input.

10.   A device as in claim 3, wherein said sequence of actions comprises taking a first action on a first web site, to obtain a first value, and taking a second action on a second web site using said first value to access said second web site.

11.   A device as in claim 10, wherein said first action comprises obtaining a first bill amount from said first web site which represents a web site holding bills, and said second action comprises paying the bill amount obtained from the first web site using said second web site, which is a bank's web site.

12. A device as in claim 1, wherein said action with the remote web site comprises validating a secured transaction.

13. A device as in claim 12, further comprising an indicator with a first state indicating that said validating has occurred within a first specified time and a second state indicating that said validating has not occurred within a specified time.

14. A device as in claim 12, further comprising a biometric reader, associated with said validating.

15. A device as in claim 12, further comprising a memory storing a secret encryption key, and wherein said validating comprises using said secret encryption key.

16. A device as in claim 13, further comprising a memory storing a secret encryption key, and wherein said validating comprises using said secret encryption key, and wherein said action comprises sending a message to the remote Internet site, validating said secret encryption key at said remote Internet site, and returning an indication of a valid secret encryption key to take said first state.

17. A device as in claim 1, further comprising a handheld housing and wherein said processor and display are housed by said handheld housing.

18. A device as in claim 1, wherein said processor and display are battery driven.

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19.   (Withdrawn) A method, comprising:

using a prestored sequence of actions to access an Internet web site and to

obtain and return specified information from said Internet web site.

20.   (Withdrawn) A method as in claim 19, further comprising storing said

prestored sequence of actions, by monitoring a users actions when actually accessing

said Internet web site.

21.   (Withdrawn) A method as in claim 20, wherein said monitoring comprises

monitoring actions in the background of a Web browser.

22.   (Withdrawn) A method as in claim 20, wherein said monitoring comprises

executing a dedicated program that monitors actions taken to access a web site.

23.   (Withdrawn) A method as in claim 19, further comprising entering a

supplemental parameter value to be used in accessing said web site.

24.   (Withdrawn) A method as in claim 21, wherein said monitoring comprises

monitoring multiple keystrokes, and executing a specified key at a specified time to

select specified ones of the monitore keystrokes.

25.   (Withdrawn) A method as in claim 23, further comprising automatically

determining which of said stored sequence of actions requires parameter entry.

26.   (Withdrawn) A method as in claim 20, wherein said storing comprises determining a users selection of said specified information to be returned.

27.   (Withdrawn) A method as in claim 19, wherein said sequence of actions accesses more than one web site.

28.   (Withdrawn) A method as in claim 25, wherein said sequence of actions accesses a first web site to obtain first information, and a second web site to carry out an operation using said first information from said first web site.

29.   (Withdrawn) A method as in claim 28, wherein said first web site is an account, said first information represents an amount which is due on said account, and said second web site carries out an action to pay said balance.

30.   (Withdrawn) A method as in claim 19, wherein said specified information is a list of actions that can be carried out on said Internet web site.

31.   (Withdrawn) A method as in claim 30, further comprising selecting at least one of said actions to be carried out on said Internet web site.

32.   (Withdrawn) A method as in claim 19, wherein said Internet web site is an auction web site which enables placing bids on auctions.

33. (Withdrawn) A method as in claim 32, further comprising determining a user status on the auction web site, and returning different information based on said user status.

34. (Withdrawn) A method as in claim 19, further comprising detecting an active connection to the Internet, and updating a plurality of variables when said active connection is detected.

35. (Withdrawn) A method as in claim 20, further comprising detecting an active connection to the Internet, and enabling storing of new prestored sequences only when said active connection is detected.

35. (Withdrawn) A method as in claim 19, wherein said specified information from said Internet web site is validation information for a secured transaction.

37. (Withdrawn) A method as in claim 36, further comprising a changing a state of an indicator to indicate validation information.

38. (Withdrawn) A method as in claim 36, further comprising reading biometric information, and validating said biometric information.

39. (Withdrawn) A method as in claim 38, wherein said validation information is based on both biometric information and validation by said Internet web site.

40. (Withdrawn) *A method as in claim 36, further comprising storing secret encryption information, and wherein said Internet web site validates said secret encryption information and returns secured information.*

41. A computer, comprising:

a network connection;

a user interface, which displays at least one indication, where a single actuation causes a prestored sequence of actions to be carried out over said network connection; and

a processor, which operates based on a selection by said single actuation, of said prestored sequence of actions, to execute said prestored sequence of actions over said network connection based on said single actuation and no other necessary actuations.

42. A computer as in claim 41, wherein said processor detects whether said network connection is available at a current time, and executes said prestored sequence of actions at a later time if said network is not available at said current time.

43. A computer as in claim 42, wherein said processor executes each of a plurality of different prestored sequences of actions whenever said network connection is available, to obtain updated information each time said network connection is available.

44. A computer as in claim 41, wherein said prestored sequence of actions accesses an Internet site to obtain specified information from said Internet site.

45. A computer as in claim 41, wherein a single one of said prestored sequences of actions accesses a plurality of different Internet sites, to obtain specified information from each of said plurality of different Internet sites.

46. A computer as in claim 45, wherein said prestored sequence of actions accesses a first Internet site to obtain first information, and accesses a second Internet site using said first information to access said second Internet site.

47. A computer as in claim 41, wherein said processor also carries out an operation to validate based on an encryption key.

48. A computer as in claim 47, wherein said processor sends said encryption key to said remote site, and obtains a of validation key from a remote site.

49. A computer as in claim 48, further comprising a biometric reader, and wherein said obtains a validation key comprises validating based on both said encryption key and a signal from said biometric reader.

50. A computer as in claim 48, further comprising an indicator, and wherein said indicator is changed in state based on said validation key.

51.   A device as in claim 41, further comprising a handheld housing and wherein said processor and user interface are housed by said handheld housing.

52.   A device as in claim 41, wherein said processor and user interface are battery driven.

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EVIDENCE APPENDIX.

None

RELATED APPEALS APPENDIX

None

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